

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Zachary Herman	Team: Squad #12	CCRB Case #: 201902836	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 03/25/2019 11:26 AM	Location of Incident: Over the phone	Precinct: 62	18 Mo. SOL 9/25/2020	EO SOL 5/12/2021	
Date/Time CV Reported Tue, 03/26/2019 9:17 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 04/02/2019 11:48 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. An officer			Unknown
2. POM Thomas Silla	10359	942544	062 PCT

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Abuse: An officer refused to provide her name to § 87(2)(b) [REDACTED]	
B. An officer	Discourtesy: An officer acted discourteously toward § 87(2)(b) [REDACTED]	
C. POM Thomas Silla	Abuse: Police Officer Thomas Silla refused to provide his name to § 87(2)(b) [REDACTED]	

Case Summary

On March 26, 2019, § 87(2)(b) called IAB, generating original log #19-12285. On April 2, 2019, this case was received by the CCRB.

On May 25, 2019, § 87(2)(b) called the 62nd Precinct's primary phone number, 718-236-2611, at approximately 11:26 a.m., she spoke to a female and requested that female's name, the female refused and hung up the phone (**Allegation A: Abuse of Authority**, § 87(2)(g); **Allegation B: Discourtesy**, § 87(2)(g)).

Approximately ten minutes later, § 87(2)(b) called 62nd Precinct phone, and spoke with PO Thomas Silla from the 62nd Precinct, § 87(2)(b) stated she requested PO Silla's name and he did not clearly state his name in response (**Allegation C: Abuse of Authority**, § 87(2)(g)).

No video evidence was recovered in the course of this investigation.

Findings and Recommendations

Allegation (A) Abuse of Authority: An officer refused to provide her name to § 87(2)(b) Korolev.

Allegation (B) Discourtesy: An officer acted discourteously toward § 87(2)(b)

On April 16, 2019, § 87(2)(b) provided a sworn statement to the CCRB. She stated that she called the 62nd Precinct's primary phone number while she was in the passenger seat of a moving vehicle at approximately 11:26 a.m. She stated she had some difficulty hearing the people she was talking to. § 87(2)(b) stated she spoke to a female individual over the phone when she first called the 62nd Precinct. She spoke with this person for several minutes regarding her son, § 87(2)(b) being issued a summons. In the course of her conversation with this individual, she requested the individual's name, the individual did not respond to her request, and did not provide her name. Additionally, the individual hung up the phone on § 87(2)(b) (BR01).

PO Silla provided a statement to the CCRB on June 7, 2019. He affirmed that he was assigned to the Telephone Switchboard (T/S) desk on March 25, 2019 and March 26, 2019. He stated that there may have been periods throughout the day when he was not at the phone, such as when he went to the bathroom or when he was on meal. He did not recall who if anyone took any calls during these periods, and stated that any officer who was in the vicinity of the phone may have taken a call while he was away from the phone. PO Silla stated that call from civilians would not be noted anywhere in any police document, and that calls from civilians were not recorded (BR03).

The Tour 2 Telephone/Switchboard log from the 62nd Precinct does not show that any officer other than PO Silla manned the T/S desk during the period when § 87(2)(b) called the 62nd Precinct on March 25, 2019 (BR02).

Per Tour 2 Roll Call from the 62nd Precinct from March 25, 2019, six female officers were on duty during the time of the incident, alleged (BR 08).

No video evidence was recovered or ordered from the 62nd Precinct.

§ 87(2)(g)

Allegation (C) Abuse of Authority: Police Officer Thomas Silla refused to provide his name to § 87(2)(b) over the phone.

It is undisputed that § 87(2)(b) spoke to PO Silla, that she asked him his name, and that he responded. As per § 87(2)(b)'s statement, it is also undisputed that § 87(2)(b) who was calling using a mobile phone in a moving vehicle, was having difficulty hearing people on the telephone.

§ 87(2)(b) testified that she called the same number for the 62nd Precinct at 11:36 a.m., per her own notes. She spoke PO Silla about her issues with § 87(2)(b) being issued a summons. She also requested PO Silla's name. He mumbled his response to her request for his name. § 87(2)(b) did not understand his response or write it down (BR01).

PO Silla testified that he clearly responded to § 87(2)(b)'s request to provide his name. He stated that he explained that § 87(2)(b) had been issued a summons by a traffic task force officer, not someone from his command, and that he could not help her very much beyond that. (BR03).

Per NYPD Patrol Guide Procedure 203-09, Section 1, members of service are required to courteously and clearly state their rank, name, shield number, and command, or otherwise provide them, to anyone who requests they do so (BR06).

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR05).
- PO Silla has been a member of service for twelve years. This is the first case and first allegation PO Silla has been involved in.

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation during her in-person interview.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
- On July 16, 2019, New York City Office of the Comptroller indicated that a Notice of Claim had not been filed in regards to this incident (BR 07).

Squad No.: 12

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date